

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON
10 AT TACOMA

10 JOHN ERICK CLARK,
11 Petitioner,

12 v.

13 BILL MAHONEY,
14 Respondent.

Case No. C08-5291 FDB

ORDER ADOPTING REPORT AND
RECOMMENDATION DISMISSING
ACTION FOR FAILURE TO
PROSECUTE


15
16 This matter comes before the Court on the recommendation of the Magistrate Judge that
17 Petitioner's claims be dismissed without prejudice for failure to prosecute. As detailed in the Report
18 and Recommendation, Petitioner has been given an opportunity to cure, if possible, the deficiencies
19 in his complaint. Petitioner has failed to take advantage of this opportunity and apparently
20 abandoned this action. Petitioner also has not filed an objection to the Report and Recommendation.

21 The Court, having reviewed the Report and Recommendation of Magistrate Judge Karen L.
22 Strombom, and the remaining record, does hereby find and ORDER:

- 23 (1) The Court adopts the Report and Recommendation;
24 (2) Petitioner's claims are **DISMISSED WITHOUT PREJUDICE**;
25

1 (3) The Clerk is directed to send copies of this Order to Petitioner, counsel for
2 Respondent and to the Hon. Karen L. Strombom.

3 DATED this 10th day of October, 2008.

4
5
6 
7 FRANKLIN D. BURGESS
8 UNITED STATES DISTRICT JUDGE
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25